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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Michael Chen

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NEEDLE & ROSENBERG, P.C.

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EXAMINER

THOMAS, JASON M

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4126

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/685,354	Applicant(s) CHEN, MICHAEL	
	Examiner JASON THOMAS	Art Unit 4126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/27/04, 05/22/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

1. The abstract of the disclosure is objected to because it exceeds the 150 words limitation.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 8-11, 18, 19-21, 26-29, 36, 37-39, 44-47, 54, 55, 59 and 63 are rejected under 35 U.S.C. 102(b) as being anticipated by Southgate (U.S. Pat. No. 5,487,143).

Regarding claims 1, 19, 37, 55, 59 and 63 Southgate discloses a method, apparatus and system for preparing and integrating at least a first image for integration with at least a second image comprising: receiving at least a first image (see [column 1 lines 28-32] for a rectangular area capable of containing a text or graphics (also known as windows which are in and of themselves graphical constructions); see also [column 1 lines 33-36] for a display screen which can receive and display one window (the first window constitutes a first image, when no windows are on the display area) or more windows containing graphics); forming a first compressed image restricted to a first region of a first image area by representing at least one segment of the first image within the first region with a reference to another segment of the first image within the first region, thereby preparing the first image for integration with at least the second image (see [column 1 lines 33-36] for one or more active windows on the display where “one” represents a first and “more” represents at least a second or additional images; see also [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area).

Southgate also discloses an input, which constitutes a receiver, and a device capable of encoding (see [column 4 line 40 through column 5 line 8] for a computer which has an input/output device as expected for receiving data such

as images, a processor, and video adapter for processing and encoding video data).

Southgate further discloses a processor (combiner) which combines a first and second image to form an integrated image (see [figure 5, 12A-12C, 13A-13C, 15A-16B], [column 1 lines 33-40], [column 1 lines 52-64], [column 3 lines 40-44], [column 11 lines 53-59] where rectangular areas (graphical windows) can be placed (combined) on the same screen area on the same display).

Regarding claims 2, 20, 38, 56, 60 and 64 Southgate discloses a processor and video adapter (see [figure 5, 12A-12C, 13A-13C, 15A-16B], [column 1 lines 33-40], [column 1 lines 52-64], [column 3 lines 40-44], [column 4 lines 40-67], [column 11 lines 53-59] where rectangular areas (graphical windows) can be placed (combined) on the same screen area on the same display), capable of combining and encoding, which are used for preparing a second or additional images for integration with at least the first image by: receiving at least the second image (see the rejections of claim 1 regarding using the first image; see also [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or additional images); and forming a second compressed image (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed)).

Regarding claims 3, 21, 39, 57, 61 and 65 Southgate discloses a processor and video adapter (see [figure 5, 12A-12C, 13A-13C, 15A-16B], [column 1 lines 33-40], [column 1 lines 52-64], [column 3 lines 40-44], [column 4 lines 40-67], [column 11 lines 53-59] where rectangular areas (graphical windows) can be placed (combined) on the same screen area on the same display), capable of being used to combine and encode, wherein a second compressed image is restricted to a second region of a second image area (see [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or additional images) by representing at least one segment of the second image within the second region with a reference to another segment of the second image within the second region, thereby preparing the second image for integration with the first image (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area).

Regarding claims 8, 9, 26, 27, 44 and 45 Southgate discloses wherein the first image includes at least one frame (see [column 1 lines 28-32] for a rectangular area capable of containing a text or graphics (also known as windows which are in and of themselves graphical constructions or images); furthermore at the time the invention was made it was well known in the art that a single frame is none other than a single image; see also [column 1 lines 33-36]

for a display screen which can receive and display one window (the first window constitutes a first image, when no windows are on the display area) or more windows containing graphics). The aforementioned reasons for rejection also apply to claim 9, which references a second image because a second image is also anticipated in Southgate (see [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or additional images).

Regarding claims 10, 28 and 46, Southgate discloses wherein the first image area spans at least one frame (see [column 1 lines 28-32] for a rectangular area capable of containing a text or graphics (also known as windows which are in and of themselves graphical constructions or images); furthermore at the time the invention was made it was well known in the art that a single frame is none other than a single image), and the step of forming the first compressed image includes representing at least one segment of the first image within the first region of the frame with a reference to another segment of the first image within the first region of the frame (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area).

Regarding claims 11, 29 and 47, Southgate discloses wherein a second image area spans at least one frame (see [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or

additional images; see also [column 1 lines 28-32] for a rectangular area capable of containing a text or graphics (also known as windows which are in and of themselves graphical constructions or images); furthermore at the time the invention was made it was well known in the art that a single frame is none other than a single image), and the step of forming the second compressed image includes representing at least one segment of the second image within the second region of the frame with a reference to another segment of the second image within the second region of the frame (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area).

Regarding claim 18, 36, 54, 58, 62 and 66 Southgate discloses wherein the first compressed image (or portions remaining in the first image area) is combined with the second image (or portions remaining in the second image area) (see [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or additional images) to form an integrated image (see [figure 1], [figures 12A], [figure 13A], [column 1 lines 33-64], [column 3 lines 41-44] where two images, multiple images, or portions thereof, can be combined forming an integrated image on the display screen).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4, 5, 22, 23, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Southgate (U.S. Pat. No. 5,487,143).

Regarding claims 4, 5, 22, 23, 40 and 41 Southgate does not explicitly disclose the image configurations located within the image areas described in the claims.

However Southgate does disclose a method, apparatus and system where a rectangular area (window) can contain graphics (images) (see [column 1 lines 28-32] for a rectangular area (graphical window) capable of containing a text or graphics), being resized, and restricted to a region within the original rectangular area such (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area).

At the time the invention was made it would have been obvious, to one of ordinary skill in the art, that based on Southgate, two rectangular areas (windows) containing graphics could be placed in a manner such that the first image area and the second image area are the same, and the first region and the

second region are different regions within the same image area, or that two rectangular areas (windows) containing graphics could be placed in a manner such that the first image area and the second image area are different, and the first region and the second region are different regions within different image areas because the first and second images can be manipulated in the same manner and can be moved, resized, and rearranged in any number of ways (see [column 1 lines 33-36], [column 1 lines 52-64], [column 11 lines 53-57] where multiple windows can be manipulated in the same manner and in many ways).

4. Claims 6, 7, 12-14, 24, 25, 30-32, 42, 43 and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Southgate as applied to claim 1 above, and further in view of Crow et al. (6,262,724 B1).

Regarding claims 6, 7, 24, 25, 42 and 43 Southgate does not disclose wherein the first or second image is logically or physically divided into segments.

Crow discloses a type of graphical window that displays time-based media (logically divided images) (see [figure 10B], [column 1 lines 16-20], [column 2 lines 58-62], [column 10 lines 63-67], [column 13 lines 35-38] for time-based media).

At the time the invention was made it would have been obvious, to one of ordinary skill in the art, to provide the capability of using time-based media, as taught in Crow, for a first or second image to be available in addition to the use of still images, as taught in Southgate, because time-based media is widely used (see [columns 1 lines 23-35]).

Regarding claims 12, 13, 30, 31, 48 and 49, Southgate discloses wherein the first image area spans at least one frame (see [column 1 lines 28-32] for a rectangular area (graphical window) capable of containing a text or graphics which constitutes a single frame), and the step of forming the first compressed image includes representing at least one segment of the first image within the first region of the frame with a reference to another segment of the first image within the first region of the frame (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area). Southgate also discloses wherein a second image area spans at least one frame (see [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or additional images; see also [column 1 lines 28-32] for a rectangular area (graphical window) capable of containing a text or graphics which also constitutes a single frame), and the step of forming the second compressed image includes representing at least one segment of the second image within the second region of the frame with a reference to another segment of the second image within the second region of the frame (see [figure 8], [figures 12A-12C], [figures 13A-13C], [figures 15A-C], [figures 16A-16B], [column 1 lines 52-64], [column 7 lines 44-55], [column 11 lines 51-63] where a window can be resized (compressed), thus restricted to a region within the original window area).

Southgate does not teach wherein the first image area spans multiple frames.

At the time the invention was made it would have been obvious, to one of ordinary skill in the art, for images to span multiple frames (see [column 5 lines 15-25] for processing time-based media information such as video which uses multiple frames of images), as taught in Crow, as opposed to limiting a display to a single image (frame), as taught in Southgate, because time-based, multi frame (video) media is widely used (see [columns 1 lines 23-35]).

Regarding claim 14, 32 and 50, Southgate discloses wherein the first image includes a still image, and the second image includes a still image (see [rejection of claim 1]).

5. Claims 15-16, 33-34, and 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Southgate and Crow, and further in view of Gordon et al. (U.S. 6,732,370 B1).

Regarding claim 15, 16, 33, 34, 51 and 52, Southgate in view of Crow does not teach wherein the first image is a barker or wherein the second image is a menu or programming guide.

Gordon teaches the use of an image representing a barker (see [column 11 lines 33-45] for an informational video also referred to as a barker) and the use of an image which represents a menu or programming guide (see [column 3 lines 16-19], [column 4 lines 43-51] for an IPG).

At the time the invention was made it would have been obvious, to one of ordinary skill in the art, that an informational image (barker), menu, or programming guide could be substituted for any undefined image, as taught in Gordon, as a type of graphical first or second image for display (see the rejections of claim 1 regarding using the first image; see also [column 1 lines 33-36] for one or more active windows on the display where “more” represents at least a second or additional images), as taught in Southgate, because any sequence of video or graphic information of another type can be displayed in the place of any other video or graphic information (see Gordon [column 5 lines 1-11]).

6. Claims 17, 35 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Southgate in view of Gordon.

Regarding claim 17, 35 and 53, Southgate does not teach wherein the second image is for display to a content-on-demand subscriber.

Gordon teaches wherein an image is for display to a video-on-demand subscriber (see [column 4 lines 12-18] for a video-on-demand system, equivalent to content-on-demand, which incorporates the described invention; see also [abstract] for a subscriber capable of viewing the display of such a system as a result of the invention, see also [column 9 lines 41-50] where the subscriber can see the graphic images).

At the time the invention was made it would have been obvious, to one of ordinary skill in the art, that one could distribute such integrated graphical images

for display to a content-on-demand subscriber, as taught in Gordon, after integrating a first and second image (see the rejections of claim 1 regarding using a first and second image; furthermore based on the invention described in Southgate the first and second images do not require a designated order due to the system design), as taught in Southgate, because the graphical user interface as described in Southgate has the same intended purpose (see Southgate [column 2 lines 5-21] where the intended purpose is to make it possible for users to view critical information) as that of Gordon (see Gordon [abstract] where the intended purpose is to allow the user to view information without interruption; see also [column 13 lines 6-20] for the versatility of application).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON THOMAS whose telephone number is (571)270-5080. The examiner can normally be reached on Mon. - Thurs., 8:00a.m. - 5:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4126

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J Thomas

/Dennis-Doon Chow/
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